

SUBSTITUTE ORDINANCE NO. BL2019-1569

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from RS5 to SP zoning for property located at 1804 and 1806 Lischey Avenue, at the northwest corner of Edith Avenue and Lischey Avenue (2.3 acres), all of which is described herein (Proposal No. 2017Z-037PR-001).

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from RS5 to SP zoning for property located at 1804 and 1806 Lischey Avenue, at the northwest corner of Edith Avenue and Lischey Avenue (2.3 acres), being Property Parcel No. 272 as designated on Map 071-08 and Property Parcel No. 001 as designated on Map 071-12 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words, and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 071 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to all uses permitted by the RM20 zoning district with the exception that Short Term Rental Property – Not Owner Occupied and Short Term Rental Property – Owner Occupied shall be prohibited.

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. Compliance with all conditions from the Metropolitan Public Works Department and the Metropolitan and Traffic and Parking Commission shall be required.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. One final site plan shall be reviewed for compliance with SP standards.
4. This property shall not be eligible for short-term rental property (STRP) permits under Chapter 17.16 of the Metropolitan Code of Laws. Short Term Rental Property (STRP) – Owner Occupied and Short Term Rental Property (STRP) – Non-Owner Occupied uses shall be prohibited.

Section 5. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 6. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee, based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increases the permitted density or floor area, adds uses not otherwise permitted, eliminates

specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or adds vehicular access points not currently present or approved.

Section 7. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of RM20 zoning districts as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Scott Davis
Member of Council